

(Pub. L. 100-330, §15, June 7, 1988, 102 Stat. 600.)

#### § 973n. Arbitration

In the event of a dispute requiring the establishment of an arbitral tribunal under Article 6 of the Treaty, the Secretary of State, in consultation with the Secretary, shall appoint the arbitrator to be appointed by the United States under paragraph 3 of that Article, and shall represent the United States in reaching agreement under such paragraph with each Pacific Island Party involved concerning the appointment of the presiding arbitrator of the tribunal.

(Pub. L. 100-330, §16, June 7, 1988, 102 Stat. 600.)

#### § 973o. Disposition of fees, penalties, forfeitures, and other moneys

To the extent required by Article 4 of the Treaty, an amount equivalent to the total value of any fine, penalty, or other amount collected as a result of any action, judicial or otherwise, taken pursuant to sections 973e and 973f of this title shall be paid by the United States through the Secretary of State to the Administrator as soon as reasonably possible following the date that such amount is collected.

(Pub. L. 100-330, §17, June 7, 1988, 102 Stat. 600.)

#### § 973p. Additional agreements

Within 30 days after the Secretary of State's receipt of notice from a Pacific Island Party that it has concluded an arrangement pursuant to paragraph 3 of Article 3 of the Treaty, the Secretary of State shall consult with the Secretary concerning whether the procedures of Article 4 and paragraph 6 of Article 5 of the Treaty should be made applicable to such arrangement. At the conclusion of the consultations the Pacific Island Party and all other persons agreeing to the arrangement shall be notified by the Secretary of State of the resulting decision.

(Pub. L. 100-330, §18, June 7, 1988, 102 Stat. 600.)

#### § 973q. Secretary of State to act for United States

The Secretary of State is authorized to receive on behalf of the United States reports, requests, and other communications from the Administrator and to act thereon directly or by reference to the appropriate authorities. The Secretary of State, after consultations with the Secretary, may accept or reject, on behalf of the United States, changes or amendments to Annex I of the Treaty and its Schedules and Annex II to the Treaty and its Schedules.

(Pub. L. 100-330, §19, June 7, 1988, 102 Stat. 600.)

#### § 973r. Authorization of appropriations

(a) There are authorized to be appropriated for fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, and 2002 such sums as may be necessary for carrying out the purposes and provisions of the Treaty and this chapter including—

(1) for fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, and 2002, an amount not to exceed \$350,000 annually to the Department of Commerce for administrative expenses; and

(2) for fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, and 2002, an amount not to exceed \$50,000 annually to the Department of State for administrative expenses.

(b) Funds appropriated for the purposes of the Treaty may be used notwithstanding any of the provisions of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or of any appropriations Act that imposes restrictions on the maintenance or use of cash transfer assistance, which are inconsistent with the provisions of the Treaty.

(Pub. L. 100-330, §20, June 7, 1988, 102 Stat. 601; Pub. L. 102-523, §3(b), Oct. 26, 1992, 106 Stat. 3433.)

#### REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (b), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended, which is classified principally to chapter 32 (§2151 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

#### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-523 substituted “1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, and 2002” for “1988, 1989, 1990, 1991, and 1992” in three places.

### CHAPTER 17—NORTHWEST ATLANTIC FISHERIES

#### §§ 981 to 991. Repealed. Pub. L. 95-6, §4, Feb. 21, 1977, 91 Stat. 16

Section 981, acts Sept. 27, 1950, ch. 1054, §2, 64 Stat. 1067; July 24, 1968, Pub. L. 90-420, §1(a) to (c), 82 Stat. 419; Aug. 11, 1971, Pub. L. 92-87, §§101 to 103, 85 Stat. 310; July 10, 1974, Pub. L. 93-339, §1(a), 88 Stat. 293, covered definitions of “convention”, “Commission”, “person”, “vessel”, “fishing gear”, “fishing”, “fish”, “international measures of control”, and “national measures of control”.

Section 982, acts Sept. 27, 1950, ch. 1054, §3, 64 Stat. 1068; Aug. 11, 1971, Pub. L. 92-87, §111(a), (b), 85 Stat. 313, related to appointment and compensation of Commissioners for the International Commission for the Northwest Atlantic Fisheries.

Section 983, acts Sept. 27, 1950, ch. 1054, §4, 64 Stat. 1068; July 24, 1968, Pub. L. 90-420, §1(d), 82 Stat. 419; July 10, 1974, Pub. L. 93-339, §1(b), (c), (g), 88 Stat. 293, provided for appointment, compensation, and travel expenses of an advisory committee.

Section 984, acts Sept. 27, 1950, ch. 1054, §5, 64 Stat. 1068; Aug. 11, 1971, Pub. L. 92-87, §111(c), 85 Stat. 313, deemed service of a United States Commissioner or member of the advisory committee as service as a special government employee of the United States, as defined in section 202 of Title 18.

Section 985, acts Sept. 27, 1950, ch. 1054, §6, 64 Stat. 1069; Aug. 11, 1971, Pub. L. 92-87, §§104, 105, 85 Stat. 310, 311, authorized Secretary of State to receive on behalf of the United States reports, requests, recommendations, and other communications of the Commission, and to act thereon.

Section 986, acts Sept. 27, 1950, ch. 1054, §7, 64 Stat. 1069; Aug. 11, 1971, Pub. L. 92-87, §§106, 107, 110(a), (b), 85 Stat. 311, 312; July 10, 1974, Pub. L. 93-339, §1(d), (e), 88 Stat. 293, authorized Secretary of Commerce to enforce this chapter.

Section 987, act Sept. 27, 1950, ch. 1054, §8, 64 Stat. 1069, related to Commissioner's cooperation with agencies of United States Government and State and private institutions and organizations.

Section 988, acts Sept. 27, 1950, ch. 1054, §9, 64 Stat. 1069; Aug. 11, 1971, Pub. L. 92-87, §108, 85 Stat. 312; July

10, 1974, Pub. L. 93-339, §1(f), 88 Stat. 293, related to activities declared unlawful with respect to this chapter.

Section 989, acts Sept. 27, 1950, ch. 1054, §10, 64 Stat. 1070; Aug. 11, 1971, Pub. L. 92-87, §109, 85 Stat. 312, covered the penalties for violations of section 988 of this title or any regulations adopted pursuant to this chapter.

Section 990, acts Sept. 27, 1950, ch. 1054, §11, 64 Stat. 1070; Oct. 17, 1968, Pub. L. 90-578, title IV, §402(b)(2), 82 Stat. 1118; Aug. 11, 1971, Pub. L. 92-87, §110(c), (d), 85 Stat. 312, related to procedures for arrest, search and seizure, warrants, stay of execution, and bond or stipulation with respect to persons committing violations of the convention, this chapter, or adopted regulations.

Section 991, acts Sept. 27, 1950, ch. 1054, §12, 64 Stat. 1071; Aug. 11, 1971, Pub. L. 92-87, §111(d), 85 Stat. 313, authorized appropriation to carry out the purposes and provisions of this chapter.

#### EFFECTIVE DATE OF REPEAL

Pub. L. 95-6, §4, Feb. 21, 1977, 91 Stat. 16, provided that repeal of sections 981 to 991 of this title is effective Mar. 1, 1977.

### CHAPTER 18—WATERSHED PROTECTION AND FLOOD PREVENTION

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#### § 1001. Declaration of policy

Erosion, floodwater, and sediment damages in the watersheds of the rivers and streams of the United States, causing loss of life and damage to property, constitute a menace to the national welfare; and it is the sense of Congress that the Federal Government should cooperate with States and their political subdivisions, soil or water conservation districts, flood prevention or control districts, and other local public agencies for the purpose of preventing such damages, of furthering the conservation, development, utilization, and disposal of water, and the conservation and utilization of land and thereby of preserving, protecting, and improving the Nation's land and water resources and the quality of the environment.

(Aug. 4, 1954, ch. 656, §1, 68 Stat. 666; Pub. L. 92-419, title II, §201(a), Aug. 30, 1972, 86 Stat. 667.)

#### AMENDMENTS

1972—Pub. L. 92-419 expanded the declaration of policy to include conservation and utilization of land, im-

provement of land and water resources, and quality of the environment.

#### SHORT TITLE

Act Aug. 4, 1954, ch. 656, §11, formerly §9, 68 Stat. 668, as renumbered by act Aug. 7, 1956, ch. 1027, §1(g), 70 Stat. 1090, provided that: "This Act [enacting this chapter, amending section 701b of Title 33, Navigation and Navigable Waters, and enacting provisions set out as notes under this section and section 701b of Title 33] may be cited as the 'Watershed Protection and Flood Prevention Act'."

#### WATERSHED PROTECTION AND FLOOD PREVENTION PROJECTS EXEMPT FROM REQUIREMENTS FOR INDEPENDENT WATER PROJECT REVIEW

For exemption of projects under this chapter from independent water project review requirements of Ex. Ords. No. 12113 and 12141, see Pub. L. 96-528, title VI, §622, Dec. 15, 1980, 94 Stat. 3118, set out as a note under section 1962 of Title 42, The Public Health and Welfare.

#### EXTENSION OF BENEFITS TO PROJECTS AUTHORIZED BEFORE AUG. 7, 1956

Act Aug. 7, 1956, ch. 1027, §2, 70 Stat. 1090, provided that sections 1006a and 1006b of this title and the amendments made by act Aug. 7, 1956 to sections 1002 to 1005 of this title should be applicable to all works of improvement and plans for such works under the provisions of this chapter and that any plans for works of improvement with respect to which the Secretary of Agriculture was authorized prior to Aug. 7, 1956 to participate in the installation of works of improvement in accordance with such plan, or any plan for works of improvement which had received prior to Aug. 7, 1956 the approval of congressional committees, need not be submitted to the congressional committees as required by this chapter.

#### § 1002. Definitions

For the purposes of this chapter, the following terms shall mean:

The "Secretary"—the Secretary of Agriculture of the United States.

"Works of improvement"—any undertaking for—

- (1) flood prevention (including structural and land treatment measures),
- (2) the conservation, development, utilization, and disposal of water, or
- (3) the conservation and proper utilization of land,

in watershed or subwatershed area not exceeding two hundred and fifty thousand acres and not including any single structure which provides more than twelve thousand five hundred acre-feet of floodwater detention capacity, and more than twenty-five thousand acre-feet of total capacity. No appropriation shall be made for any plan involving an estimated Federal contribution to construction costs in excess of \$5,000,000, or which includes any structure which provides more than twenty-five hundred acre-feet of total capacity unless such plan has been approved by resolutions adopted by the appropriate committees of the Senate and House of Representatives: *Provided*, That in the case of any plan involving no single structure providing more than 4,000 acre-feet of total capacity the appropriate committees shall be the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives and in the case of any plan involving any single structure of more than